

MESSAGE NO: 3218208 MESSAGE DATE: 08/06/2003

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-423-077

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/2002 TO 05/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION OF SUGAR FROM BELGIUM (A-423-077)

MESSAGE NO: 3218208

DATE: 08 06 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 423 - 077

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PERIOD COVERED: 06 01 2002 TO 05 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF SUGAR FROM BELGIUM (A-423-077)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT

REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON ALL  
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR  
CONSUMPTION

AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF  
ENTRY TO WHICH THE FOLLOWING INFORMATION APPLIES:

SUGAR FROM BELGIUM

PERIOD

A-423-077

6/01/2002 5/31/2003

LIQUIDATE ALL ENTRIES FOR ALL FIRMS.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF  
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND  
PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS  
OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE  
SUBJECT MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE UNITED STATES  
BUREAU OF CUSTOMS AND BORDER PROTECTION (BCBP) ON SHIPMENTS OR  
ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF  
SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778  
REQUIRES THAT BCBP PAY INTEREST ON OVERPAYMENT AND ASSESS  
INTEREST ON UNDERPAYMENT OF THE REQUIRED AMOUNT DEPOSITED AS  
ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT  
APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING  
DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY  
ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF  
ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION.  
THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT  
UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH  
PERIOD.

5. WHENEVER THE USE OF THE ABOVE INSTRUCTIONS RESULTS IN THE  
ASSESSMENT OF ANTIDUMPING DUTIES, YOU SHOULD REQUIRE OF THE  
IMPORTER PRIOR TO LIQUIDATION THE REIMBURSEMENT STATEMENT  
DESCRIBED IN 19 CFR 351.402(F)(2). IF THE IMPORTER HAS BEEN  
REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE

ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, BCBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY BCBP OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES PLEASE CONTACT JANIS KALNINS AT 202-482-1392 OR JANIS\_\_KALNINS AT ITA.DOC.GOV, AD/CVD ENFORCEMENT 3, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party